

UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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JEFFREY DAVID VOLOSIN,

Petitioner,

v.

TIM GARRETT,

Respondent.

Case No. 3:23-cv-00362-MMD-CSD

ORDER

*Pro se* Petitioner Jeffrey David Volosin has filed a Petition for Writ of Habeas Corpus under 28 U.S.C. § 2254. (ECF No. 1-1 ("Petition").) Volosin has not properly commenced this habeas action by either paying the standard \$5.00 filing fee or filing an application for leave to proceed *in forma pauperis* ("IFP"). Under 28 U.S.C. § 1914(a) and the Judicial Conference Schedule of Fees, a \$5.00 filing fee is required to initiate a habeas action in a federal district court. The court may authorize an indigent prisoner to begin a habeas action without paying the \$5 fee if he or she submits an IFP application on the approved form and includes three specific documents: (a) the prisoner's financial declaration and acknowledgement showing an inability to prepay fees and costs; (b) a financial certificate signed by the prisoner and an authorized prison official; and (c) a copy of the prisoner's account statement for the six-month period prior to filing. 28 U.S.C. § 1915(a); LSR 1-1, 1-2. Volosin has up to and including September 8, 2023 to either pay the \$5 filing fee or submit a complete IFP application with all required documentation.

It is therefore ordered that the initial screening of the Petition under the Rules Governing Section 2254 Cases is deferred until such time as Volosin has fully complied with this order.

1 It is further ordered that on or before September 8, 2023, Volosin must file an IFP  
2 application that includes a: (a) financial certificate signed by Volosin and an authorized  
3 prison official; (b) financial declaration and acknowledgement signed by Volosin; and  
4 (c) copy of Volosin's inmate account statement for the 6-month period prior to filing.  
5 Alternatively, Volosin must pay the \$5 filing fee on or before September 8, 2023. If Volosin  
6 decides to pay the filing fee from his inmate account, he must arrange to have a copy of  
7 this order attached to the check for the filing fee. Volosin's failure to timely comply with  
8 this order will result in the dismissal of the Petition without prejudice and without further  
9 advance notice.

10 It is further ordered that the Clerk of Court send Volosin one blank copy of the IFP  
11 application form for inmates along with instructions and two copies of this order.

12 DATED THIS 19<sup>th</sup> Day of July 2023.

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15 MIRANDA M. DU  
16 CHIEF UNITED STATES DISTRICT JUDGE  
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